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REMARKS

Claims 1-16 and 27 are currently pending in the subject application and are presently under consideration.

Claims 15 and 27 have been amended herein to correct minor typographical errors.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-16 and 27 Under 35 U.S.C. §112, first paragraph

Claims 1-16 and 27 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. This rejection should be withdrawn for at least the following reasons. The specification of the subject application provides sufficient detail for one of ordinary skill in the art to perform the invention without undue experimentation.

The standard for determining whether the specification meets the *enablement requirement* was cast in the Supreme Court decision of *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916) which postured the question: is the *experimentation* needed to practice the invention *undue or unreasonable*? *That standard is still the one to be applied. In re Wands*, 858 F.2d 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988). *See also United States v. Teletronics, Inc.*, 857 F.2d 778, 785, 8 USPQ2d 1217, 1223 (Fed. Cir. 1988) ("The test of enablement is whether one reasonably skilled in the art could make or use the invention from the disclosures in the patent coupled with information known in the art without undue experimentation."). MPEP §2164.01

In the subject application, with regard to independent claims 1, 8 and 27, the Examiner has indicated "[a]pplicant fails to disclose the mechanism and benefits for mapping the claimed data document component and the data set component." Applicant's representative respectfully submits that the mechanism for mapping the claimed data document component and the data set component is set forth in the specification, for example:

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Once data associated with the source document 110 has been loaded into the data document component 130 and the data set component 140, it can be accessed by a user (e.g., via an application program interface (API)). Changes to data stored in the data set component 140 are reflected in the data stored in the data document component 130. However, changes to data stored in the data document component 130 are reflected in the data stored in the data set component 140 only if the changed data is associated with the relational data stored in the data set component 140. Thus, integrity of the source document 110 is maintained in the data stored in the data document component 130 while the data set component 140 (e.g., mapped to the data set component 140) can maintain all or a subset of data associated with the source document 110.

p. 8, lines 1-10 (emphasis added).

An exemplary mechanism is set forth further:

The data document component 130 can associate region(s) of stored data with data stored in the data set component 140. For example, the data document component 130 can associate a region of data with a row of data stored in the data set component 140. Further, for data stored in the data document component 130 having nodes with the same identifier, the data set component 140 can associate a particular field of data. For example, for a data document component 130 having two elements identified by "name", the first instance of "name" can be mapped to the data set component 140 with the second instance not mapped to the data set component 140.

For example, under one schema, a region of a data document component 130 generally can be associated (e.g., mapped) with a row of data in a data set component 140. The topmost node (e.g., subset) of the associated region can be an element having, for example, the same local name and namespace as the corresponding properties of an associated data table in the data set component 140. Thus a node of the data document component 130 can have three possible states: (1) the node can be associated with a row of data in the data set component 130 (e.g., if it's local name / namespace match the corresponding properties in the data table in the data set component 140); (2) the node can belong to a region (e.g., the region defined by the

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closest parent that is associated with a row of data in the data set component 130); and (3) the node can belong to no region (e.g., if no parent is associated with a row of data in the data set component 130). Within a region, element(s) and/or attribute(s) can be mapped to corresponding column(s) and/or field(s) of a row of data in the data set component 130. Under this schema, if more than one of the element(s) has the same corresponding column, then the first one occurrence of the element is mapped to the data set component 130 with the remaining occurrence(s) not mapped into the data set component 130. For an attribute mapped to a column and/or field, the value of the column and/or field is the value of the attribute. For an element mapped to a column and/or field, the value of the column and/or field can be the concatenation of the first run of consecutive text-like nodes, starting, for example, with the first child in the hierarchical representation of the data document component 130. Node(s) of the data document component 130 not mapped to the data set component 140 are preserved in the data document component 130. Thus, changes to unmapped node(s) have no direct effect on the data set component 130. However, changes to unmapped node(s) can have an indirect effect on the data set component 130 (e.g., if a change to unmapped node(s) triggers another change to node(s) mapped to the data set component 130).

p. 8, line 11 – p. 9, line 13.

It is respectfully submitted that one skilled in the art would be enabled to practice the invention as claimed in independent claims 1, 8 and 27 (and claims 2-7, 9-16 which depend therefrom).

With regard to the Examiner's assertion that applicant fails to disclose the benefits for mapping the claimed data document component and the data set component, applicant's representative respectfully submits that disclosure of benefits is not a requirement of 35 U.S.C. §112, first paragraph, which provides:

The specification shall contain a written description of the invention, and, of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the

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same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Furthermore, applicant's representative respectfully submits that the specification includes information regarding the benefits associated with mapping the claimed data document component and the data set component, for example:

With the historical use of relational databases and increasing use of mark-up languages (*e.g.*, XML), there is an unmet need in the art for a unified framework for accessing data (*e.g.*, XML document(s) and/or relational database document(s)).

p. 4, lines 5-7.

and:

The present invention relates to a system and method for providing a unified access to structured (*e.g.*, relational) and unstructured (*e.g.*, XML hierarchical) data. More particularly, the present invention relates to the ability of an Application Programming Interface (API) to access data (*e.g.*, XML document and/or relational database document) as unstructured data (*e.g.*, hierarchical) and as structured data (*e.g.*, relational model).

p. 4, lines 16-21.

Thus, it is respectfully submitted that the specification satisfies the enablement requirement, pursuant 35 U.S.C. §112, first paragraph, and this rejection should be withdrawn.

II. Rejection of Claims 1-16 and 27 Under 35 U.S.C. §102(e)

Claims 1-16 and 27 stands rejected as best as the examiner is able to ascertain under 35 U.S.C. §102(e) being anticipated by Vandersluis (U.S. Patent No. 6,356,920). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Vandersluis does not teach or disclose the present invention as recited in the subject claims.

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject application is related to "a system and method facilitating a unified framework for structured/unstructured data". (p. 1, lines 5-7). Independent claim 1 is directed to a system for accessing data and recites limitations of "a data document component adapted to receive at least a portion of the parsed information, the data document component having a hierarchical representation of information associated with the data source; and a data set component, adapted to receive at least a portion of the parsed information, the data set component having a relational representation of at least some of the information associated with the data source, the data set component and the data document component being mapped to each other". (Emphasis added). Similarly, independent claim 8 directed to a system facilitating access to data, recites limitations of "an XML data document component having a hierarchical representation of information associated with a source document; and a data set component having a relational representation of at least some of the information associated with the source document, the XML data document component and the data set component being mapped to each other". (Emphasis added). Independent claim 27 is directed to a computer readable medium having computer executable components for accessing data and includes similar to independent claim 8, and, specifically includes a limitation of "the XML data document component and the data set component being mappable to each other."

Thus, information contained in a source document (e.g., XML document) can be accessed as structured data (e.g., relational model) *via* the data set and/or as unstructured data *via* the data document (e.g., hierarchical representation). p. 5, lines 2-5.

To the contrary, Vandersluis is directed to "[a] computer system provides the ability to construct and edit a Data Definition File (DDF) containing hierarchically related elements of data, some of which are dynamic in that they must execute in order to

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produce or retrieve data.” Abstract, lines 1- 4. Vandersluis does not facilitate a unified framework for structured/unstructured data. It is respectfully submitted that Vandersluis does not teach or disclose the limitation of a hierarchical representation of information of a data source and a relational representation of at least some of the information of the data source being mapped to each other as recited in independent claims 1, 8 and 27 of the present invention.

In view of at least the above, it is readily apparent that neither Vandersluis anticipates nor suggests the subject invention as recited in independent claims 1, 8 and 27 (and claims 2-7, 9-16 which depends there from). Accordingly, this rejection should be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 (Ref. MSFTP250US).

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,
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